

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CHRISTOPHER A. HENRY,

Plaintiff,

-v-

C.O. MILLER, C.O. JOSEPH GRASSO, and C.O.
LORENZO COLANGELO,

Defendants.

CIVIL ACTION NO.: 11 Civ. 1273 (PAE) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Over a year ago, on November 8, 2019, The Honorable District Judge Paul A. Engelmayer issued an Opinion and Order (ECF No. 173) adopting the Report and Report and Recommendation (ECF No. 166) of the Honorable Henry B. Pitman and terminating this matter. Dismissal was granted due to pro se Plaintiff Christopher Henry's failure to prosecute this action and comply with court orders, after a "year-long saga in which Henry repeatedly failed to appear for his deposition, disregarding Court orders that warned him that a continued failure to appear would result in a dismissal of his complaint, with prejudice." (ECF No. 173 at 1).

Since then, Mr. Henry has repeatedly objected to the dismissal of this action. (See ECF No. 175, 177–78, 181, 185, 189, 193, 196, 198). The Court, in turn, has repeatedly rejected these requests. (See ECF Nos. 176, 188, 192, 195, 197).

In Plaintiff's most recent reconsideration request (ECF No. 198), he again argues that he did not receive notice for the deposition and therefore the motion to dismiss should not have been granted. Judge Engelmayer previously rejected this argument, and "the factual record

remains clear that Henry's non-compliance was willful, and Henry did receive proper notice of his scheduled depositions repeatedly over the course of a year." (ECF No. 188 at 4).

The Court reminds Plaintiff again that "[t]his case remains closed." ECF No. 195 (PAE) (rejecting plaintiff's fourth request for reconsideration of the order of dismissal).

The Clerk of Court is respectfully directed to mail this Order to Plaintiff at the address below.

Dated: New York, New York
November 10, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge

Mail To: Christopher A. Henry
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